

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANT(S) : Trevor Ross Suggate  
FOR : **MODULAR PLATFORM, WALKWAY  
OR RAMP**  
SERIAL NO. : 10/519,546  
FILED : August 23, 2005  
EXAMINER : Gary S. Hartmann  
ART UNIT : 3671  
CONFIRMATION NO. : 2578  
ATTORNEY DOCKET NO. : BELL 2 00004

**INFORMATION DISCLOSURE STATEMENT**

Mail Stop Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

In accordance with 37 C.F.R. §§ 1.56, 1.97, 1.98 and MPEP § 609, applicant(s) submit(s) the following Disclosure Statement concerning art of which the applicant(s) is (are) aware. A copy of PTO/SB/08 Form (renumbered from 1449) is enclosed.

This Information Disclosure Statement should not be construed to be an admission that any information referred to herein or submitted herewith is "prior art" or is considered to be material to patentability for this invention.

In accordance with 37 C.F.R. §1.97(g) and (h), the filing of this Information Disclosure Statement should not be construed to mean that a search has been made or that no other material information as defined in 37 C.F.R. §1.56(b) exists.

In association with the corresponding Australian patent (i.e., corresponding to the subject U.S. application), a third party identified several websites purportedly relevant to one or more claims of the Australian patent. The identified websites, which were brought to the Applicant's attention on October 8, 2008, include the following:

[www.nationalramp.com](http://www.nationalramp.com)

[www.tmpservices.com](http://www.tmpservices.com)

[www.stonekeeperproducts.com](http://www.stonekeeperproducts.com)

[www.trident.se](http://www.trident.se)

[www.americanaccess.net](http://www.americanaccess.net)

No materials for these websites were provided, nor were any particular portions highlighted by the third party. Instead, the third party's attorney stated that "our clients draw your attention to the following websites."

In an effort to meet Applicant's duty of disclosure, the attached Form 1449 lists these websites, and includes as enclosures print copies of the home page at four of the five websites. The print copies were made on January 6, 2009 and it is unknown if the websites were the same or different on this date relative to some earlier date. One of these websites ([www.stonekeeperproducts.com](http://www.stonekeeperproducts.com)) appears to not be operational as no home page was reached when its address was entered.

Under § 1.97(c)(1), this information shall be considered if filed before the mailing date of a final action, or a Notice of Allowance or action that otherwise closes prosecution in the application if accompanied by the statement:

Under § 1.97(e)(1), the undersigned states:

☐ A. that each item of information contained in the Information Disclosure Statement was first cited in any communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of the Information Disclosure Statement; or

☒ B. that no item of information contained in the Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application, and to the knowledge of the person signing the certification after making reasonable inquiry, no item of information contained in the Information Disclosure Statement was known to any individual designated in §1.56(c) more than three months prior to the filing of the Information Disclosure Statement.

Any payment due for the filing of this Information Disclosure Statement is authorized to be charged to a Credit Card (via EFS-Web). **If the Credit Card is unable to be charged, please charge any and all fees or credit any overpayment to Deposit Account No. 06-0308.** If there are any additional fees required by this communication, please charge same to Deposit Account No. 06-0308.

It is respectfully requested that the attached document(s) be considered and officially cited in examination of this application.

Respectfully submitted,

FAY SHARPE LLP

January 7, 2009

Date



Erik J. Overberger, Reg. No. 48,556

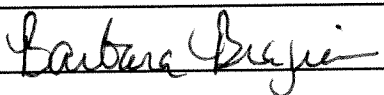
Robert A. Sidoti, Reg. No. 234

1100 Superior Avenue

Seventh Floor

Cleveland, OH 44114-2579

216-861-5582

CERTIFICATE OF MAILING OR TRANSMISSION	
I hereby certify that this correspondence (and any item referred to herein as being attached or enclosed) is (are) being	
<input type="checkbox"/> deposited with the United States Postal Service as First Class Mail, addressed to: Mail Stop None, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date indicated below.	
<input checked="" type="checkbox"/> transmitted to the USPTO by electronic transmission via EFS-Web on the date indicated below.	
Express Mail Label No.:	Signature: 
Date: January 7, 2009	Name: Barbara Brazier

N:\BELL\200004\bjb0007253V001.docx